

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lars TENERZ et al.
Title: TECHNIQUE TO CONFIRM CORRECT POSITIONING WITH
RESPECT TO ARTERIAL WALL
Appl. No.: 10/798,784
Filing Date: 03/12/2004
Examiner: N. Natnithithadha
Art Unit: 3735
Confirmation Number: 5614

REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT
UNDER 37 C.F.R. §1.705(d)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request reconsideration of the Patent Term Adjustment (PTA) included with the Patent Grant on October 23, 2007.

The above-identified application was filed on March 12, 2004, and is therefore eligible for application of the PTA rules. Under 37 C.F.R. § 1.704, the period of adjustment of the term of a patent shall be reduced by a period equal to the period of time during which the applicant failed to engage in reasonable efforts to conclude prosecution (processing or examination) of the application.

- PTO issued a Notice to File Missing Parts in the above application with a mailing date of May 28, 2004.
- Applicants filed a response to the Notice to File Missing Parts on July 27, 2004.

- Applicants filed an Information Disclosure Statement on October 25, 2005.
- PTO issued a non-final Official Action on November 10, 2005 which resulted in **182 PTO days**.
- Applicants filed a response to the non-final Official Action on February 10, 2006.
- PTO issued a Final Official Action on May 18, 2006.
- Applicants filed a response to the Final Official Action on August 3, 2006.
- PTO issued an Advisory Action on August 22, 2006.
- Applicants filed a Request for Continued Examination with an Extension of Time on September 12, 2006 which resulted in **25 Applicant days**.
- PTO issued a non-final Official Action on October 5, 2006.
- Applicants filed a response to non-final Official Action on December 14, 2006.
- PTO issued a Notice of Allowance on March 27, 2007 that indicated the Patent Term Adjustment of **182 days**.
- Applicants filed a letter of Candor and Good Faith on April 30, 2007 (please see enclosed PTO receipt) informing PTO of the failure to charge Applicants for 25 days for the RCE filed on September 12, 2006 which resulted in **157 days of PTA**.
- Applicants filed the Issue Fee payment on May 17, 2007.
- PTO issued a Decision on Letter of Candor and Good Faith on September 17, 2007 agreeing with Applicant that the PTA should be **157 days**.

- PTO issued an Issue Notification on October 3, 2007 and erroneously charged **120 Applicant days** for the Letter of Candor and Good Faith. (*A Letter of Candor and Good Faith bringing to the PTO attention an error on their behalf should not reduce the Patent Term Adjustment.*)
- PTO granted the application on October 23, 2007 which resulted in **36 PTO days**.

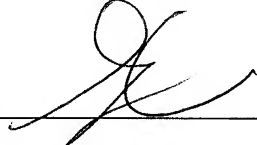
Therefore, the total PTO days are **218** and the total Applicant days are **25**.

It is respectfully requested that a Patent Term Adjustment of **193** days be granted in favor of the Applicant.

A credit card authorization form in the amount of \$200 is enclosed herewith. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date NOV 13 2007

By 

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Attorney for Applicant
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THE U.S. PATENT AND TRADEMARK OFFICE OFFICIAL MAILROOM STAMP
AFFIXED HERETO ACKNOWLEDGED RECEIPT OF THE ITEMS CHECKED
BELOW:

Via Hand Delivery

Title: TECHNIQUE TO CONFIRM CORRECT POSITIONING WITH RESPECT TO
ARTERIAL WALL

Inventor(s): Lars TENERZ et al.

Appl. No.: 10/798,784

Dkt. No. 030481-0216

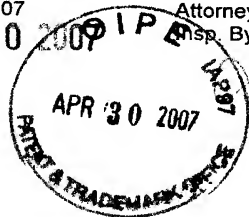
- Letter Under Good Faith and Candor regarding PTA (2 pgs.).

Due Date: June 27, 2007

Date Filed: APR 30 2007

Attorney Initials: GL/jkb/rgf

Resp. By: 



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